IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.2120 OF 2004

The Karnataka Bank Ltd. ..Plaintiffs.

Vs.

Mr.Abdul Aziz Khan, Prop.
of M/s.Apsara Trading
Corporation & Anr. ..Defendants.

Mr.K.S.Shetty for the Plaintiffs.
None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 7TH DECEMBER, 2005

P.C. :

The suit is filed on the basis of a working capital loan granted by the Plaintiffs to Defendant No.1. Defendant No.2 is the co-obligator. The usual documents, including the promissory note has been signed by both the Defendants.

2. The learned counsel for the Plaintiffs tenders a compilation of original documents. The same are taken on record taken on record and marked Exhibit "A" collectively.

3. The liability has been confirmed by a letter dated 17.3.2003. There is no written statement. There is no defence to the suit. The averments and

the submissions contained in the plaint are therefore accepted as correct.

4. In the circumstances, the suit is decreed as prayed. However, interest after the date of the suit shall be on the principal sum of Rs.1,54,954.18.

5. Moreover, the Defendants shall also be entitled to credit in the sum of Rs.25,000/- paid on 31.3.2005. The interest on the said sum of Rs.25,000/- shall also cease from 31.3.2005.

Refund as per rules.